

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

REPORT AND RECOMMENDATION

Petitioner Grady Williams filed his civil rights action against Effingham County District Attorney Richard Mallard without either a filing fee or a properly completed motion to proceed *in forma pauperis* (IFP). Doc. 1. In lieu of returning payment or an IFP request, Williams filed an “international promissory note” for \$400, in “settlement of [his] retail agreement[]” with the Court. Doc. 3.¹ The Court ordered Williams to show cause why this case should not be dismissed on

¹ As set forth in the Order to Show Cause, this “promissory note” was not William’s first attempt to stymie the Court’s fee requirements. Doc. 4 at 1-2 (citing *Williams v. Bryson*, no. CV416-334 at doc. 3 (filing a “notice” of an “ecclesiastical deed poll . . . for discharge in accordance with the law” “*per curiam divina*” in lieu of paying his filing fee or filed a completed IFP form)). Williams knows that he must either pay to play or seek to proceed IFP, and refuses to do either. See *Williams*, no. CV416-334 at doc. 6 (recommending dismissal of his case on inactivity grounds after Williams submitted only “plainly frivolous” notices and letters in lieu of a filing fee or IFP application).

inactivity and, thus, abandonment grounds by no later than June 23, 2017. He has not responded.

This case should be dismissed without prejudice on inactivity and, thus, abandonment grounds. *See Fed. R. Civ. P. 41(b); S.D. Ga. L.R. 41.1(c); Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992).

This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C. § 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned “Objections to Magistrate Judge’s Report and Recommendations.” Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonett v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. U.S.*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 29th day of June, 2017.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA